

Via EFS Web

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants:	Berdini et al.	Examiner:	Stockton, Laura L.
Serial No.:	10/564,166	Atty. Docket No.:	3073.004A
Filing Date:	July 5, 2004	Group Art Unit:	1626
Title: Benzimidazole Derivatives And Their Use As Protein Kinases Inhibitors			
Confirmation No.: 7842			

Dated: September 15, 2009

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO RESTRICTION REQUIREMENT**

Sir:

This is a response to the Office communication (Restriction Requirement) mailed July 15, 2009. In view of a 1-month extension of time and the required fee, filed herewith, a response is due by September 15, 2009. Therefore this response is timely filed.

In response to the Office communication (Restriction Requirement) mailed July 15, 2009, Applicants elect, without traverse, to prosecute Group V, consisting of claims 72-85 and 96 drawn to products of formula (IV) or formula (V) or formula (VI) or formula (VII) or formula (VIIa).

Claims 72-85 and 96 encompass the elected invention.


Applicants have elected the claims to the compounds and composition. If these claims are allowed, applicants request that the restriction be withdrawn with respect to the method claims and the method claims be rejoined in accordance with MPEP 821.04(b) provided that they depend from the allowable compound claims, require all of the limitations of the allowable

compound claims, or are amended to require all of the limitations of the allowable combination claims.

If the Examiner has any questions, or believes that a telephone conference would expedite prosecution of this application, the Examiner is cordially invited to contact Applicant's attorney at the telephone number provided below.

If any additional fees are due, or an overpayment has been made, the Commissioner is authorized to charge, or credit, U.S. Deposit Account No. 08-1935 for such sum.

Respectfully submitted,



Franklin S. Abrams  
Registration No. 43,457  
Attorney for Applicants

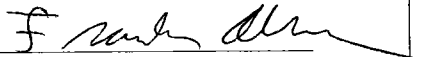
Dated: September 15, 2009

**HESLIN ROTHENBERG FARLEY & MESITI P.C.**

5 Columbia Circle  
Albany, New York 12203-5160  
Telephone: (518) 452-5600  
Facsimile: (518) 452-5579

**CERTIFICATE OF TRANSMISSION**

I hereby certify that this correspondence is being transmitted by electronic filing to: Commissioner for Patents, Alexandria, VA 22313-1450, on September 15, 2009



Franklin S. Abrams  
Reg. No. 43,457  
Attorney for Applicants